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2 UNITED STATES DISTRICT COURT
3 FOR THE NORTHERN DISTRICT OF CALIFORNIA
4 OAKLAND DIVISION
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6 MARIN ALLIANCE FOR MEDICAL
7 MARIJUANA, a not-for-profit association;
8 JOHN D'AMATO, an individual, MED
9 THRIVE, INC. a not-for-profit cooperative
10 corporation doing business as MedThrive
11 Cooperative; THE JANE PLOTITSA
12 SHELTER TRUST, a revocable living trust;
13 and THE FELM TRUST, an irrevocable
14 living trust; THE DIVINITY TREE
15 PATIENTS' WELLNESS COOPERATIVE,
16 INC., a non profit cooperative corporation,

12 Plaintiffs,

13 vs.

14 ERIC HOLDER, Attorney General of the
15 United States; MICHELLE LEONHART,
16 Administrator of the Drug Enforcement
17 Administration; HON. MELINDA HAAG,
18 U.S. Attorney for the Northern District of
19 California,

17 Defendants.
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Case No: C 11-5349 SBA

**ORDER RE PLAINTIFFS'
AMENDED MOTION FOR
TEMPORARY RESTRAINING
ORDER**

19 On November 4, 2011, Plaintiffs filed the instant action and motion for temporary
20 restraining order ("TRO") and preliminary injunction seeking to prevent the federal
21 government from arresting, prosecuting, or otherwise seeking sanctions or forfeitures
22 against medical marijuana growers and providers who operate under the auspices of
23 California law. Dkt. 1, 5.
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25 At the direction of the Court, the parties met and conferred regarding a briefing
26 schedule on Plaintiff's motion. By letter dated November 10, 2011, Plaintiffs state that the
27 parties agreed that Defendants would file their response to the TRO motion only by no later
28 than November 15, 2011, and that once the TRO is resolved, the parties will meet and

1 confer regarding a briefing schedule on Plaintiffs' motion for preliminary injunction. Dkt.
2 20. On November 11, 2011, Plaintiffs filed an amended complaint and amended motion for
3 TRO and preliminary injunction. Dkt. 21, 23. Defendants filed their opposition to
4 Plaintiffs' amended motion for TRO on November 15, 2011. Dkt. 31.

5 Given the exigent circumstances alleged by Plaintiffs, the Court deems the motion
6 for TRO fully briefed.¹ In addition, given the briefs submitted, a reply brief is unnecessary
7 for the Court to render an informed decision on the TRO request. As such, the parties may
8 not submit any additional memoranda or other filings in connection with Plaintiff's motion
9 for TRO. Any papers filed in contravention of this Order will be stricken by the Court.
10 Pursuant to the Civil Local Rule 7-1(b) and Federal Rule of Civil Procedure 78(b), the
11 Court may resolve the motion without a hearing.

12 IT IS SO ORDERED.

13 Dated: November 16, 2011


SAUNDRA BROWN ARMSTRONG
United States District Judge

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24 ¹ The Court notes that Plaintiffs have had ample opportunity to brief the salient
25 issues. Both Plaintiffs' original and amended TRO motions are thirty-one pages in length,
26 which well exceeds the twenty-five page limit imposed by Civil Local Rule 7-2(b), and the
27 fifteen page limit set forth in this Court's Standing Orders. See Dkt. 15 at 5. Plaintiffs
28 neither sought nor obtained prior leave of Court to file oversized briefs. Although the
Court would be well within its discretion to strike Plaintiffs' non-compliant briefs, the
Court declines to do so at this time. However, Plaintiffs are warned that further
transgressions of the Court's Local Rules and/or Standing Order may result in the
imposition of sanctions.